



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,909	05/09/2001	Karim Kaddeche	998002 PA6	3960

30781 7590 11/01/2006

PHILIP K. YU
20955 PATHFINDER ROAD
SUITE 100
DIAMOND BAR, CA 91765

EXAMINER

JANVIER, JEAN D

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/851,909

Examiner

Jean Janvier

Applicant(s)

KADDECHE ET AL.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 20 April 2006.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

See Continuation Sheet

Jean Janvier
Examiner
Art Unit: 3622

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Item 7 - Other reasons for holding abandonment: The Examiner had contacted the Attorney of record regarding the current status of the Instant Application and left a voicemail message on the Attorney's answering machine and it appears that the Attorney is presently working overseas. Thus far, there has been no response to the Examiner's phone call. Since the time to respond to the last Office Action has expired, since there has been no recent activity on this file, the Examiner has now decided to abandon the Application under 1.134-1.135.

JEAN D. JANVIER
PRIMARY EXAMINER

Janvier Jean Dario

Response To Applicant's Arguments

First of all, the last Office Action, including the Examiner's proposed claim amendment, issued by the Examiner was in response to the Applicant's arguments. Here, any arguments or issues the Applicant wanted to bring forth should have been included in the current response since the Examiner will not go back in time searching for unanswered arguments unless they are part of the present response. Furthermore, the Applicant, with or without any valid reason, has partially incorporated the Examiner's proposed claim amendment into only the independent claim 1. However, after reviewing the specification, which lacks a detailed disclosure, the Examiner once again has a lot of questions related to the salient or novel feature or the uniqueness of the claimed invention with respect to the Quinlan's Patent. Moreover, as discussed earlier, the Applicant has left a lot of details out of the specification by assuming that all those details are well known and has drafted claims that are based on those supposedly well known features. Generally speaking, if those features are so well known that they are being omitted from the detailed description, then they cannot be novel. Although there is no 112(1)-enablement problem here, nonetheless, there is a potential 112(1) for lack of disclosure. Finally, one of ordinary skilled in the art can reach the same conclusion upon reading or reviewing the specification.

Furthermore, and in general, Quilan does disclose, among other things, a system for posting or advertising discount products (rebate products) to consumers over the Internet, wherein a consumer receives an associated rebate upon purchasing one of these discount products (rebate products) and subsequent to receiving proof of purchase and a rebate claim by

Art Unit: 3622

the consumer via a dedicated web site or fulfillment center (clearinghouse). Applicant is herein referred to the detailed Office Action for more details.

DETAILED ACTION

Specification

In general, the specification suffers from a complete disclosure. Throughout the specification, the Applicant bypasses important detailed disclosure by assuming that these details are well known in the art. Although these details may be well documented in the art and a 112(1) enablement problem cannot properly be raised, however, this lack of disclosure can trigger a 112(1) for insufficient support can be raised if need. The fact that certain materials are well known in the art does not necessarily mean that they should not be presented, for clarity, in the specification.

Status of the claims

Claims 1-8 and 9-18 are now pending in the Instant Application. Claims 17 and 18 are withdrawn from further prosecution. Claims 1-8 and 9-16 are herein being considered for examination.

General Comments

In claim 1, the consumer does carry to the vendor's POS any paper coupon, any advisory note or any piece of printed material bearing a UPC code of a coupon- product or a product that must first be purchased at the vendor's POS before the consumer can receive the value of the

Art Unit: 3622

coupon at a later date for purchasing the coupon-product when the presence of the UPC code is detected in the consumer's order. Thus, it is rather difficult for the clerk at the vendor's to recognize a consumer and a coupon-product in the consumer's order, especially when the vendor has a plurality of promoted products on sale, but only a few of those products are associated with the coupon promotion. Having said that, however, the step of "transmitting purchase confirmation data by the vendor..." is rather premature, since the vendor cannot even identify a consumer buying a coupon-product having a UPC code found in the consumer's order. Some intervening steps are missing from the body of the claim. Finally, the step of "transmitting purchase confirmation data by the vendor...", as recited in claims 1, 9, 14 and 16, is broad in nature and it is not necessarily related to the purchase of the at least one product.

In claim 9, the "purchase confirmation data" are accomplished via the transmission by the consumer of the proof of purchase (transaction number or serial number printed on the customer's receipt) since the transmitting of the confirmation data is not from a different entity or the vendor.

Concerning claims 3 and 15, the limitations "entering the discount coupon data and the proof of purchase data comprises **entering the discount coupon data and the proof of purchase data using an optical or a magnetic scanning device**" appear to be premature, because of the highlighted portion, since parent claim 2 supports the fact that the discount coupon is an electronic coupon, but not a paper coupon or a paper receipt having a physical scannable bar code imprinted thereon, and the data transfers are handled, thus far, electronically as expected in any electronic coupon/rebate distribution and redemption system.

Claim Objections

Claims 10-13 are objected because of the following informalities-

Concerning claim 10, "wherein purchasing the product comprising:" should apparently be - -wherein requesting payment....-. Further, although a computer system, maybe one used by the consumer, is operable to store data on a computer readable medium, like a hard drive, and wherein the data are transferred from the computer system hard drive to the clearinghouse over a computer network, nevertheless, the system is not enabled to store data on a card since the required hardware is omitted present. Here, those details can not be assumed to be well known in the art. Claims.

Claims 11-13 suffer from the same deficiencies and are objected to in a similar fashion.

Throughout the claimed invention, it is unclear what the consumer carries with him when purchasing a required product at the vendor's POS and how the vendor is able to identify the consumer and the required product, in the consumer's order, that must be purchased before the consumer can receive at a later date the coupon value related to the purchase of the product.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for

Art Unit: 3622

patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Quinlan, US Patent 6, 748, 365B1.

As per claims 1-16, Quinlan discloses a system and method for processing product marketing rebate claims (payment requests) submitted by a consumer in satisfaction of a rebate offer, the consumer having purchased designated or required products, without ever presenting a physical discount coupon, in a qualified transaction recorded by a participating point-of-sale (POS) data processing and storage system that issues a receipt containing a corresponding transaction serial number or identifier (**linking a purchase identifier to a purchase of a coupon-product; here, the receipt identifier also represents proof of purchase related to the purchase of the discount-coupon product/rebate product and thus, the receipt identifier is associated with both the proof of purchase and the discount coupon data, such as the UPC code or the name of the coupon-product bought during the transaction**). The method further comprises the steps of providing a designated site (payment clearinghouse) of a computer information network accessible by the consumer for placing a rebate claim (payment request) and receiving the rebate claim on the designated site. The rebate claim includes receiving from the consumer the transaction serial number/identifier (**i.e. the proof of purchase and the related discount-coupon data, like the product UPC code, achieved by simply submitting the proof of purchase**) corresponding to the qualified transaction (**linking a purchase identifier**

Art Unit: 3622

to a product purchase related to the rebate claim or payment request), and (ii) identifying or verifying information corresponding to the consumer (validation or authentication process). The transaction serial number and the identifying information are stored as permanent data records. Moreover, an electronic file transfer is received from the point-of-sale data processing and storage system comprising purchase data records, each record comprising the list of products purchased and the transaction serial number for a qualified transaction in which at least one designated product (coupon-product) was purchased (Receiving by the claim web site or fulfillment house or clearinghouse from the vendor purchase transaction data or confirmation data related to at least one coupon product/rebate product purchased by the consumer at the vendor's POS). Each stored data record is associated with a purchase data record having an identical serial number (as the one received from the consumer) and the records are processed to validate the rebate claim (correlating the data received from the consumer and POS to validate a payment request or rebate claim before the consumer can receive a payment in the value of the coupon for purchasing the discount-coupon product). The value of the rebate offer is transferred to the consumer. Consumer access to the designated site may be via the global computer information network (Internet) or by telephone. The providing of the rebate to the consumer, subsequent to a rebate claim, may also optionally integrate paper-based and smart/credit/debit-card-based rebate claims (See abstract).

The above method may also be modified to allow at least one consumer to transmit information (purchase transaction identifier or proof of purchase including the discount coupon data, such as the purchased product UPC code or product name), associated with a rebate claim, to the designated site over a global computer information network whereas at least one other

Art Unit: 3622

consumer completes and mails a paper form, related to a rebate claim, to a fulfillment housing administered by the fulfillment administrator and makes a rebate claim by providing the serial number of the qualified transactions and personal information on the paper form. The fulfillment administrator, upon receipt of the paper form, accesses the designated site of the global computer information network, enters and transmits to the designated site the other consumer's personal information and the serial numbers corresponding to the other consumer's qualified transactions, and stores as a stored data record the personal information and the serial numbers transmitted by the other consumer (Col. 5: 29-43).

In a further embodiment, at least one consumer may purchase the one or more designated (advertised) products using a smart card having a card number and a computerized data storage means, at which time the transaction serial number (purchase transaction identifier or proof of purchase including the discount coupon or rebate data, such as the purchased product UPC code or product name) is stored as computerized data on the smart card computerized data storage means. The consumer can then enter the one or more transaction serial numbers and the personal information by using a smart card reader to automatically upload the computerized data representing the stored transaction serial number and the card number from the smart card memory into a card reader (data entry is completed using an optical or a magnetic reader coupled to a personal computer). In such case, the card number comprises the personal information from which the consumer can be identified. The fulfillment administrator then transfers the cash value of the rebate claims to the consumer by crediting the smart card (crediting the consumer's account with the rebate value related to the

Art Unit: 3622

claim or electronically transferring the rebate value to the consumer's smart card memory- col. 5: 44-57).

In another embodiment, the consumer may purchase the advertised or designated product using a **designated card** such as a credit card having a corresponding credit account, a debit card having a corresponding bank or debit account, or a smart card having computerized data storage means. The designated card is sponsored by the retail network and has a card number. In such case, a fulfillment administrator receives, when the consumer mails the rebate to a fulfillment house, in the electronic file transfer from a POS system (a store computer) at least one transaction data record comprising the designated card number and the corresponding transaction serial number for the qualified transaction. The fulfillment administrator already has on file a stored data record comprising personal information about each consumer indexed by the designated card number, so the fulfillment administrator then associates the transaction data record with the corresponding stored data record for the designated card number. The stored data record is updated with the transaction serial number, and the remainder of the method remains the same, **except that the cash value of the rebate claims may be credited to the consumer by crediting the corresponding credit account, the debit or bank account, or the smart card (electronic transfer of rebate cash value, related to a rebate claim, to the consumer's account).** The above data entry method using the designated card for data entry and transmission to the dedicated site may be integrated with the Internet data entry and paper form data entry methods. The consumer may also receive, subsequent to claiming a rebate, a check having a value equal to the value of the rebate (col. 5: 58 to col. 6: 56; col. 7: 33-45).

See in general col.7: 66 to col. 8: 36; col. 9: 18-38.

Additionally, the rebate claim system, as described above, is secure whether the claim is performed Online via a designated network site or Off-line through a fulfillment house (col. 10: 30-50). Because a consumer can come home immediately after making a purchase in step 100 and access the designated site, in the Online model, in step 110, some consumers may wish to receive their rebate as soon as possible. Thus, the rebate method may further comprise the designated site interactively prompting the consumer in step 120 of fig. 2 to choose whether to proceed to method step 160 of fig. 2 immediately or to delay performing step 160 (i.e. delaying providing the value of the rebate related to a claim to the consumer). Thereafter, the consumer accesses the designated network site a second or subsequent time, the site may automatically recognize the consumer after transmitting only a portion of the personal information transmitted during the first access session, such as the name and zip code only, phone number only, e-mail address only, or any other limited portion of the consumer's personal information as deemed necessary. During the first visit to the designated site, the customer may be able to choose a username and password that can be entered during subsequent visits, and thus the username and password may constitute the partial or minimum information entered to be recognized. In such case, the designated site may interactively fill-in the computerized form with the remainder of their personal information upon entry of the partial information, or the site may prompt the consumer with a menu of addresses having the same name entered. From this menu, the consumer may merely choose which personal information is his or hers, and no further entry of personal information may be necessary, except to modify any information as necessary. The partial personal information transmitted by the consumer, via his computer, may require no entry at all, but instead may merely comprise information automatically transmitted by the consumer,

Art Unit: 3622

such as a "cookie" saved on the consumer's computer from a previous visit to the designated site. Moreover, the consumer may simply enter a username and/or password and the designated site will automatically identify the consumer, as known in the art (Col. 10: 51 to col. 11: 67). In addition, the system, as herein disclosed, comprises a built-in module for releasing previously entered transaction codes or serial numbers or purchase identifiers for processing and for checking the status of a pending or previously submitted rebate claim (col. 14: 51-53). In other words, the secure rebate claim system, as disclosed by Quinlan, comprises appropriate Software to prevent a subsequent submission of a rebate claim whose transaction code or serial number or purchase identifier is already tagged or flagged in the designated site database or fulfillment house (discount payment clearinghouse) database as redeemed or processed or submitted by a specific consumer living in a particular zip code.

In another preferred embodiment, the rebate value related to a rebate claim, following a validation or clearing process, is electronically transferred to the consumer's credit card or debit card account number established at a bank or to the memory of the consumer's smart card. Indeed, use of the designated card by the consumer, in particular a card issued by the fulfillment administrator acting as an umbrella for a large retail network of otherwise unrelated retailers, **may trigger automatic access of the designated site, used for electronic rebate claim submission, on behalf of the consumer.** Thus, for a consumer using a designated card, the consumer may automatically make a rebate claim for any product purchased with the card. Such automatic access may occur from the POS data processing and storage system without further action by the consumer, as shown in FIGS. 5 and 6, (automatic claim submission at a POS). In the case of a smart card, which has data storage capacity on the card, the smart card may instead

Art Unit: 3622

receive and store data from the POS system, such as the transaction serial number, and the consumer may then access the designated site in step 110, as shown in FIG. 2, and automatically enter the serial number data and personal information in step 120 via insertion of the smart card in a card reader/writer. The data may then be uploaded to the designated site without manual entry through a browser by the consumer. If the consumer has a refund waiting at the designated site to be credited to his card from a previous rebate claim submission, the credit can also be written to the card while during such a procedure (col. 14: 66 to col. 15: 53). Further, a consumer may be able to use his or her card at any of several retail establishments to automatically receive refunds credited to his or her account or downloaded to his smart card memory regardless of at which retailer the qualified product was purchased. Cash values related to pending or previously submitted rebate claims can be electronically transmitted to the memory of the consumer's smart card when the card is involved in a transaction at a member or participating POS. Thus, for instance, where smart card 292 of fig. 3 can be credited and debited by a participating retailer who offers the coordinated rebate program, the cash value may be transferred to the retailer who can then credit the consumer from the point-of-sale or POS system 210 of fig. 3 during the next visit. It should further be recognized here that the cash value or credit transferred to the retailer's POS system for later upload to the consumer's smart card memory should indeed include at least the transaction code or serial number or purchase identifier related to the previously submitted rebate claim such that all parties involved in the transaction are notified that the transferred credit is associated with a particular transaction identifier and appropriate records are kept (silently requesting or transmitting a transaction serial number or identifier to the store system). See col. 16: 52 to col. 17: 10; col. 18: 30-54; col. 19: 57 to col. 20: 2.

Art Unit: 3622

In a further embodiment, retailers may enjoy a reduction in fraudulent activity. Because the individual serial numbers for each qualified transaction are unique, a fraudulent consumer cannot just manufacture any authentic-looking cash register receipt and successfully claim a rebate. Similarly, because the standard serial number issued by POS systems known in the art is also entered during returns of items, consumers purchasing a rebatable item, returning it, and still trying to claim a refund will be identified by the serial number of the transaction. Even if a consumer were to receive the check and then return the item after having check-in-hand, that consumer can be identified as someone who has fraudulently claimed a rebate once, and thus can be entered into the fraud-checking database for the next time (checking to see if the product was previously returned- Col. 19: 41-55).

In summary, Quinlan discloses a system for processing one or more product marketing rebate claims submitted by a consumer in satisfaction of one or more rebate offers. A "rebate offer" comprises a promise by the manufacturer or the retailer to transfer a value to the consumer in exchange for a purchase of a designated (advertised) product. The value transferred to the consumer may be in the form of cash value, such as a check, or may be an article of manufacture such as a promotional item or a coupon good for a future purchase at a participating store. As with any rebate method, the first step is for the consumer to purchase one or more of the designated products from a participating member of retail network that offers the rebate program (col. 7: 33-45).

Finally, in its most basic form, the invention comprises a method for processing a rebate claim including receiving from a consumer the transaction serial code of the transaction during which the rebate item was purchased, and then matching that code with a data record containing

Art Unit: 3622

that code and the list of rebate products purchased, as provided by the point-of-sale data processing system. The transaction serial code may be received via access to a global computer information system, by telephone or through a computer such as a home computer, used by the consumer, or a kiosk, via direct telephone access or direct computer access, or by a paper mailing. **An e-mail containing the transaction serial code or purchase identifier could also be sent to a designated e-mail address of the designated network site without navigating the Internet through a browser (Broadly interpreted, the retailer transfers the purchase identifier or transaction code to the user's computer via an electronic communication and the user or consumer can then submit this purchase identifier or transaction serial number to the designated site in order to claim a rebate related to the purchase identifier- Col. 20: 61 to col. 21:7).**

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,450,407 to Freeman discloses a method of and system for providing advertisement information, including advertising as well as sales promotions, on chip cards that additionally involves an electronic money rebate to the consumer, and for the distribution, accounting, and recovery of the associated electronic money rebates. Rebates are conveyed to the consumer by communication from the advertisement information provider to a customer's chip card via a multiplicity of possible channels including: a personal computer, a portable chip card reader, a point-of-sale (POS) terminal, a handheld device, a home or business telephone, a

Art Unit: 3622

vending machine, a cellular phone, a pager, a mass transportation payment station, a television and/or television set-top box, or an automated teller machine (ATM). Rather than giving a discount at the point of sale, a rebate in the form of electronic money is stored in chip card memory. The method and system also include tracking and storing integrated relational information regarding advertisement information, products, and customer's buying habits with respect to those products for which rebates have been given. Determination of which particular advertisement information and rebates to store onto the card may be based on customer information available to the providers of the advertisement information. The chip card may or may not incorporate an electronic display for showing the advertisement information directly on the card.

US Patent 5,380,991 to Valencia discloses a system for allowing a customer to obtain the benefits of reduced prices for certain items without the necessity of redeeming paper coupons. In fact, the manufacturer's coupons are electronically provided to the customer or shopper via a smart card having encoded in its memory a plurality of discount coupons redeemable on a plurality of products. Furthermore, the smart card stores information or sale data on products that have been purchased by the shopper (purchase behavior or purchase history). The coupons stored on the smart card are redeemed in a conventional manner at a retailer's POS and information, sale data and discount coupon data, stored on the smart card are updated accordingly (See abstract).

In general, at the retailer's POS or store, a tag is affixed to a discounted product displayed on the store shelf to thereby help the customer or the shopper identify a discounted product. The

Art Unit: 3622

tag may contain other relevant product information and maybe color-coded. The tag could include several discount values associated with a particular product, thereby indicating that the customer or shopper would receive additional discounts if the particular product is repurchased in the future (one or more discounts applied to one particular product at different time intervals in the on-going or progressive couponing method). It should further be noted that, during a redemption process at the retailer's POS, product information, customer's identification and discount data are read from the smart card and if there is a match between a product currently in the customer's order and a product stored on the customer's smart card, then the discount related to this product is applied to the customer's order. And, if one or more products in the customer's order are subject to additional discounts or progressive discounts, then the system would scan the memory of the customer's smart card to determine whether the customer has previously purchased this particular item or product, listed in the progressive couponing. In the affirmative, the additional discounts are applied and the smart card memory is altered accordingly (multiple or progressive discounts are redeemed on the single product during a single shopping trip) (col. 2: 59 to col. 3: 52; col. 4: 37-51; col. 5: 31-42; col. 5: 55-61; **col. 6: 6-51**).

In another embodiment, the smart card storing the paperless or electronic coupons can be purchased from a customer service center or service provider. For instance, the smart card is purchased at a service center, the customer would pay a particular amount, such as \$ 25.00, for the card. In other words, the customer or purchaser pre-pays or loads the card with \$25.00 worth of coupons, used towards various discount coupons related to various products and the balance is adjusted accordingly and stored in the memory of the card following a redemption. In addition, and alternatively, as an inducement to purchase various items, the amount initially credited or

Art Unit: 3622

stored on the smart card could be complimentary to the customer (that is to say that the smart card storing the initial monetary value could be given free to the customer as an incentive to buy a plurality of products associated with the plurality of discount values related to the initial monetary amount credited or stored on the card memory). When the customer purchases the smart card 2 at the customer service center 64, all the necessary information including the customer's identification number will be entered onto the smart card erasable memory. Additional monetary values, purchased by the customer or given free to the customer by the manufacturer or supplier, would be added to the smart card 2 memory when the original amount has been depleted (col. 6: 51 to col. 7: 12).

Finally, transaction data, associated with the electronic coupon redemption process, are collected at the participating retailers and forwarded to the respective manufacturers and used for tracking and paying the participating retailers for redeeming or honoring the electronic coupons presented by the users of the re-usable smart card (col. 9: 3- 29).

US Patent 6,385,591B1 to Mankoff teaches a system for distributing electronic coupons to users over the Internet. A user selects a given link in a displayed web page, related to a server or first server, on a client machine or first computer, wherein the given link is an image embedded in an advertising banner displayed on the web page such that a user click-through on the banner automatically generates an electronic coupon or virtual coupon, which is downloaded by the user from the first server and saved on a local database or memory on the client machine or first computer. Thereafter, following this recording or saving, the electronic coupon (coupon information) is retrieved and transferred to a handheld device or PDA, having a memory means

Art Unit: 3622

or database file to store the transferred coupon information, via a communication interface when the PDA is synchronized to the client machine. The user can then take the PDA to a local store POS terminal or second computer, where the coupon information can be retrieved from the memory of the PDA during a redemption process when the required product is bought. Further, the operator of the first server may provide the coupon distributions service for a fee. Finally, the retail store where the coupon was redeemed receives appropriate compensation, for honoring the coupon submitted by the user via his PDA, from the advertiser (manufacturer or retailer) who provides the coupon (See abstract; col. 1: 11-16; col. 1: 44 to col. 2: 34; col. 3: 50-67; col. 4: 18-67; col. 5: 7-11; col. 5: 27-53.

US Patent 6,937,995 to Kepecs a method and system for distributing and redeeming electronic promotions to a consumer through the Internet is provided. An account which is associated with a unique key is maintained for each consumer account. Access is permitted to the consumer account upon presentation of the unique key over the Internet. The consumer is presented discount or other promotional choices of items available in at least one store associated with the key, or a collection of such stores, over the Internet and the selections of the discount or promotional choices made by the consumer over the Internet are recorded. Upon purchase of items at the associated store by the consumer, such data are received, and the selections and purchases are reconciled to record a credit in the customer account. Unlike paper or electronic coupons, no consumer action other than the selection of promotions desired is required for item purchase.

USP 5,483,049 to Schulze discloses an electronic coupon exchange system whereby the exchange system both generates and redeems coupons. Upon entering a retail sales store, consumers can exchange conventional coupons for exchange system coupons, which are only applicable to the retail sales store entered. The exchange system invalidates a conventional coupon and prints an exchange system coupon for a product promoted by the coupon exchange system. Consumers are enticed to use the exchange system coupons since the coupons can be redeemed for cash via checks printed immediately upon redemption of the coupons or by having an account credited. Consumers are also enticed to use the new coupons by games and bonus prizes associated with the exchange system coupons. The exchange system redeems exchange system coupons without the use of retailer funds. Thus, retailers obtain full price for products purchased with the exchange system coupons. Data stored by the exchange system for printing an exchange system coupon can be modified remotely at substantially any time. Thus, exchange system coupons can be modified as needed to target consumers patronizing a particular retail sales store by offering exchange coupons having sufficient discounts or other enticements to motivate consumers into using the exchange system coupons.

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Application/Control Number: 10/211,386

Page 20

Art Unit: 3622

Official Draft : 571-273-8300

10/18/06

JDJ

Jean D. Janvier

Patent Examiner

Art Unit 3622

JEAN D. JANVIER
PRIMARY EXAMINER

Jean D. Janvier